

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SHENIA DANCY-STEWART as  
Administratrix of the Estate of EVELINE  
BARROS-CEPEDA,

Plaintiff,

v.

THOMAS TAYLOR, Jr., and the CITY  
OF BOSTON,

Defendants.

CIVIL ACTION NO. 05-11803-MLW

**PLAINTIFF'S OPPOSITION TO DEFENDANT THOMAS TAYLOR'S  
MOTION FOR SUMMARY JUDGMENT**

The Plaintiff, Shenia Dancy-Stewart as Administratrix of the Estate of Eveline Barros-Cepeda, submits this Opposition in the above-referenced matter and states as grounds the following:

- 1) The Defendant, Thomas Taylor, Jr. ("Taylor"), has not met his burden of affirmatively demonstrating that there is no genuine issue of fact on every relevant issue raised by the pleadings;
- 2) qualified immunity does not apply; or, in the alternative, the issue of qualified immunity cannot be resolved at this juncture; and
- 3) the Plaintiff's pendent state law claims are viable.

Accordingly, Taylor's motion for summary judgment must be denied in its entirety.

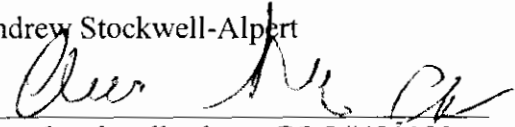
The Plaintiff attaches a Memorandum of Law in support of her Opposition, along with

her Local Rule 56.1 Statement of Facts in Dispute.

Respectfully submitted,  
PLAINTIFF, SHENIA DANCY-STEWART as  
Administratrix of the Estate of EVELINE  
BARROS-CEPEDA,

By her attorney:

/s/ Andrew Stockwell-Alpert

  
Andrew Stockwell-Alpert, BBO#481190  
11 Beacon Street, Suite 1210  
Boston, MA 02108  
(617) 720-4244

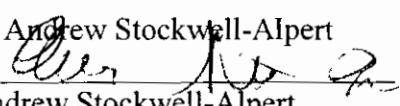
### CERTIFICATE OF SERVICE

I, Andrew Stockwell-Alpert, hereby certify that on this date I served a copy of the foregoing documents upon defendant's lead counsel, Helen G. Litsas, by electronic filing and by postage prepaid, first class, United States mail.

7/7/08

Date

/s/ Andrew Stockwell-Alpert

  
Andrew Stockwell-Alpert